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## Affirmative Action Defended

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# Center for the Study of Ethics in Society



**Affirmative Action**

**Defended**

Laurence Thomas

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Center for the Study of Ethics in  
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Western Michigan University  
Kalamazoo, MI 49008

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## Affirmative Action

## Defended

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than racism. Sexual interest, and the sexism that is generally characteristic of the male's self-conception in this regard, considerably complicates matters for women in a way that is not normally the case for men. For reasons offered in the conclusion of this essay, I reject the role-model argument for affirmative action. Finally, I shall for the sake of simplicity generally confine my remarks to a single suspect group, namely blacks.

## I

Suppose that I cause \$1000 worth of damage to your car. Then I take it that I owe you that much for repairs. This is so whether you ever intend to get the car repaired or whether, on the one hand, you are extremely rich and I, on the other, am extremely poor. To be sure, if you are extremely rich and I am extremely poor, it would be awfully kind of you to waive this debt: but I certainly have no right to your doing so. Now, suppose that one day you receive in the mail a check from me for the amount of \$1000 accompanied by a note. On the note you expect me to say that the enclosed money is for the damage which I did to your car; however, I tell you, instead, that the money is a birthday gift. From that day on, I treat you as if my debt with you has been settled. That is, never again do I make mention of owing you any money for the damage that I did to your car.

Though you have in your possession the amount of money that I owe you for damaging your car, I take it to be clear that something has gone wrong. For if the \$1000 I gave you on your birthday was, indeed, a birthday gift, then I still owe you \$1000 for repairs. If, instead, it was intended to settle the debt that I owe you, then I really should say as much and not present it to you as if it were a gift. For I assume that the following is true: X's giving A to Y can be construed as X's giving Y a gift if and only if it is not the case that X's giving A to Y constitutes a settling of a debt to Y, where it is understood that the debt is something other than that of reciprocating gifts.

Now, if I present the \$1000 to you as a gift when, in fact, I mean to settle thereby my debt to you, then I dare say that I add insult to injury, as here I am giving you the money it takes to repair the damage without acknowledging that I am responsible for the damage. I am acting as if you just so happen to have found yourself with \$1000 worth of damage to your car (something fell on it or you were the victim of a hit and run accident), and I am being generous enough to give you the money it takes to repair the damages--when in truth nothing of the sort is true. With these considerations in mind, the truth of the following claim seems evident: if X's giving A to Y is what it takes for X to settle X's debt to Y, then in giving A to Y, X is thereby settling X's debt to Y and, moreover, X implies (at least) implicitly





action turns out to need it the least. I deal with these objections in the section which follows.

## II

The first objection--namely that slavery and racism are past wrongs--really speaks to the issue of justice across generations. It assumes that these wrongs are rather self-contained; and it is mistaken in this assumption. One result of past racism is that it gave rise to deep stereotypes concerning blacks--stereotypes under which present blacks now labor. And stereotypes profoundly influence the way we interact with one another. To illustrate consider the so-called innocent Polish joke: "How many Poles does it take to do such-and-such? Three to do this and four to do something else." The humor of Polish jokes trades upon the stereotype that Poles are stupid. Thus, observe that Polish jokes are rarely, if ever funny, when Jews are substituted for Poles. The explanation for this is hardly mysterious. While the stereotype of the Jew has it that Jews are parsimonious or conniving or have an otherwise shady character, the stereotype of the Jew is not that of a person who is stupid. So-called innocent Polish jokes have as their background assumption that those who are the butt of the joke are stupid; and Jews are not that--so the stereotype has it.

Slavery and racism have their legacy of













more than racism in reverse she should think again. For the racism which has so tainted American history did not amount to the practice of simply hiring whites over blacks in the case of ties. Rather, the racism of this country meant that in a great many instances to be black was to be automatically unqualified for the job. It was to be summarily dismissed. The case of hiring B over W does not even come close to being a reverse of this practice.

So far, my argument has been that Small College does nothing morally objectionable in hiring B over W. But I want to say that Small College morally ought to hire B. If it is morally permissible for Small College to hire X over Y, then, even more so, it must be morally permissible for Small College to hire B over W. Indeed, it is not just a good thing that Small College take steps to correct the negative stereotypes of blacks which academic institutions have fostered by their past discriminatory practices against blacks, they owe this much to blacks. There is a wrong which should be made right. B should be hired over W precisely because Small College owes it to blacks to correct the negative presumption which has been fostered with respect to blacks. Notice, it does not matter at all whether B is actually from a low socio-economic class or is well-off. The hiring of a well-off black is no embarrassment to the argument at all, since they, too, must bear up under the negative stereotypes; and, for all we know, they may be the most effective at eradicating the negative



stereotypes of blacks that prevail.

Let me now bring out the way in which the account of affirmative action offered is institutionally-relative, as I shall say. To begin with, we must distinguish between (1) the quality of candidate an institution would like to hire and (2) the quality of candidate an institution is prepared to settle for. Quite often (2) is less than (1). For I take it that most institutions would like to hire the very best candidate on the job market each year. But, of course, as a matter of logic alone, not every institution can do that, as not everyone can hire the very best person among all available job candidates in any given year. Accordingly, some settle for less than the best person without feeling that they in any way jeopardize their standards. When adjusted to institutions, my position is this: An institution must hire a minority candidate if the minority is as qualified as a white candidate for whom the institution is prepared to settle. These remarks render the account of affirmative action offered institutionally-relative. Whether or not a minority is good enough to be hired by a given institution is tied to the quality of the white candidate for whom the institution is prepared to settle. The black candidate must be at least as good as that candidate. Some institutions are prepared to hire a candidate only if he will rank among the very top in his profession. Institutions such as these should not have to settle for a black who does not measure up in this regard. But

needless to say, it is not the case that every institution is prepared to hire a candidate only if he will rank among the very top in his profession. For if this were true, there would be very little hiring going on. In terms of whom they can get, most institutions lower their sights. They know that they will not be able to attract the very best candidates, barring some special story such as the candidate's spouse must move to the area. Barring an explanation such as this, a small college in North Dakota can be reasonably certain that it cannot compete against the ivy league schools. So, if this college plans to do any hiring at all, it must be willing to settle for less, which is not to say that it must be willing to settle for anything. And my position is that this small college in North Dakota must hire the black applicant who is as good as the white applicant it can get and for whom it is prepared to settle, though neither the black nor the white ranks among the very best candidates.

## IV

Offhand, my defense of affirmative action would seem to be ever so limited, since it explicitly pertains only to academic institutions. I suggest, however, that it is not as limited as one might suppose. The idea that the negative stereotypes, owing to slavery and racism, should be eliminated plays a central role in my argument; and we know



who should manage to succeed in the absence of any such role-model proves to be an exception. Thus, the argument comes too close for comfort to suggesting that blacks are not able to make it on their own. And this is what racists have been saying all along.

While I do not want to deny the importance of black role-models, I should like to minimize the extent to which the idea is relied upon in arguments for affirmative action at least in regards to blacks. Black people are not the problem but white people who, unwittingly or otherwise, refuse to take black people seriously. Because of the misconceptions brought on by negative stereotypes, which in virtue of living in America it is very hard not to be influenced by, many well-meaning whites fail to take blacks seriously. I want to down play the significance which the role-model argument plays in affirmative action because I want to make more perspicuous the reality that affirmative action is needed, not because blacks have trouble measuring up, but because America, being caught in the grip of the very stereotypes about blacks which it created, has enormous difficulty acknowledging the fact that blacks can measure up, notwithstanding the good intentions of the very many who indeed care. Good intentions, alas, do not make one immune to the influence of stereotypes; and this truth needs to be appreciated. I take affirmative action to be the settling of a moral debt and that it can not be -- so it





[illegible]

## PROGRAMS--Winter and Spring 1988

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MAY 18 7:30 PM	ISSUES IN MEDICAL ETHICS Fetzer Business Development Center [co-sponsored with Bronson Methodist Hospital] -Father John Paris, College of The Holy Cross



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